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SUBJECT: TELLING COLOMBIA'S STORY

Summary

¶1. President Uribe's democratic security policy -- and the paramilitary demobilization -- has saved the lives of over 40,000 Colombians, strengthened Colombia's democratic institutions, and led to substantial improvements in human rights protection. The establishment of GOC territorial control and the demobilization of the AUC (United Self-Defense Forces of Colombia) have created space for new political and social groups, enabled democratic institutions such as the courts and media to function effectively, and helped extend the rule of law. These advances are a work in progress, and many challenges remain. Still, Colombia's progress on human rights and democracy over the last five years is undeniable. End summary.

Democratic Security

¶2. For the vast majority of Colombians, the marked improvement in the public security climate in the last five years is a major human rights achievement. The doubling of the size of GOC security forces and their increased presence in rural areas have made Colombians safer. Murders are down almost 40 percent, falling from almost 29,000 in 2002 to 17,300 in 2006. Kidnappings fell 75 percent, from 2,885 in 2002 to 687 in 2006. Victims of massacres fell from 680 in 2002 to a little over one third that level in 2006. Over 40,000 Colombian lives were saved. The improved security climate promoted Colombians' freedom to travel, work, and socialize. In a country fighting three Foreign Terrorist Organizations, economic growth has averaged over 5 percent since 2002.

Security Creates New Political and Social Space

¶3. The establishment of greater GOC territorial control and the paramilitary demobilization have allowed civil society and political parties to operate more openly than ever before. In May 2006, the leftist Polo Democratico candidate for president received over 2.5 million votes, the highest total ever for a leftist presidential candidate. In 2003, Polo candidates won the Bogota mayoralty and the governorship in Valle del Cauca department. A former paramilitary killing ground, Sucre department now hosts numerous victims groups and the Polo Democratico party is increasingly active. Nationwide, the willingness of over 48,000 victims -- many of

whom continue to live in areas previously dominated by paramilitaries -- to denounce paramilitary crimes and assert their rights reflects the improved security environment.

¶4. The GOC is also working to strengthen protection of threatened human rights activists, journalists, labor unionists, and participants in the Justice and Peace Law process. Justice and Interior Ministry spending on special protection programs rose from USD 2 million in 1999 to USD 33 million in 2007. More than 6,900 persons received protection in 2006 under the Interior Ministry program, including more than 1,500 union members. The labor-affiliated National Unionist College (ENS) reported that murders of unionists fell by over 60 percent over a 5-year period, dropping from 197 in 2001 to 72 in 2006. The number of human rights defenders killed or disappeared also dropped from 17 to 4 over this period. In addition to the Interior Ministry program, the Colombian National Police and the Department of Administrative Security (DAS) protect over 3,000 Colombians.

Institutions Dismantling Para Structures, Sympathizers

¶5. Over the years of paramilitary activity, illegal groups formed links with some Colombian politicians, businessmen, and security personnel, especially in the north coast. These links are now being exposed, investigated and prosecuted. The democratic security policy and the demobilization of 32,000 paramilitaries delegitimized the AUC (United Self-Defense Forces of Colombia) and broke its military power, creating the space needed to allow Colombia's institutions -- the Courts, prosecutors and media -- to begin the process of dismantling paramilitary political and economic structures. The Justice and Peace law (JPL), which Inspector General Edgardo May calls the "motor" of the justice process, provides a framework -- as well as incentives -- for paramilitaries to tell the truth about their crimes. President Uribe strongly backs the ongoing investigations, and has repeatedly stressed the need to uncover the truth whatever the consequences.

¶6. The Prosecutor General's Office (Fiscalia) is spearheading application of the JPL. The Prosecutor General's Justice and Peace Unit has taken the voluntary testimony of 22 paramilitaries, leading to the revelation of 91 mass graves and solving numerous murders. Over 2,800 paramilitaries have signed up to testify and make reparations to qualify for the reduced sentences provided under the law. The Prosecutor General arrested and jailed the former head of the FBI-equivalent Department of Administrative Security (since freed by the Supreme Judicial Council on a legal technicality, but called for questioning again on May 11) for paramilitary ties. It also jailed 15 former elected officials for alleged paramilitary links.

¶7. The paramilitary process has also led to the incarceration of over 70 paramilitary leaders in maximum security prisons, and the Supreme Court is investigating links between politicians and former paramilitaries. To date, the Court has jailed 13 congressmen and two Governors. One Congressmen is a fugitive, and 6 more national legislators are under investigation. The Court is also investigating 12 mayors. President Uribe allocated an additional USD 1.2 million to the Court last December to develop its own investigative staff.

¶8. The improved security has enabled the local press to carry stories about paramilitary crimes, including their links to politicians, security force personnel, and businessmen. El Tiempo editor Enrique Santos publicly said in March that "there has not been one act by this government against freedom of the press," and the number of journalists murdered fell from 10 during Uribe's first two years in office to five from 2003-06. The Congress has held several heated debates on the scope of the scandal, with opposition legislators accusing Uribe and his family of complicity in

paramilitary crimes. Some legislators, as well as local human rights and labor groups, traveled to the U.S. to repeat their charges.

New Criminal Groups

¶9. The OAS estimates there are approximately 20 new criminal groups -- with 3000 members -- operating in the country. These groups lack the national structure, military capacity, and political agenda of the former AUC, and are primarily involved in narcotrafficking. To combat this threat, the GOC has established 107 rural police stations, staffed with over 4,000 new officers, in areas identified as particularly susceptible to the emergence of new criminal groups. It has also set up special interagency search forces, consisting of police, military and DAS personnel, in several departments to pursue these groups. These efforts have led to over 160 members of new groups being killed in combat, more than 930 arrests, and the issuance of over 230 arrest warrants. On April 3, the GOC captured Ever Veloza, a top lieutenant of former paramilitary leader Vicente Castano. Castano abandoned the peace process last August and is actively trying to rebuild the old AUC network.

Military Improvements

¶10. Complaints against the military fell by over half from 2002 to 2005, despite a doubling of the force and a tripling of military operations. Mid-year 2006 figures show a further decline. Defense Minister Santos is strengthening internal human rights controls and training within the military, assigning inspector general representatives to each Army division and inviting the International Committee of the Red Cross to train personnel in International Humanitarian Law. The Defense Ministry is improving cooperation with the civilian judiciary, signing an MOU with the Prosecutor General's Office giving civilian prosecutors control of investigations involving alleged military human rights violations. The Ministry is also preparing reforms that would establish the military criminal justice system's juridical and financial independence from the Defense Ministry. From 2002-06, the Ministry used its discretionary authority to dismiss 1,135 officers and NCOs for human rights violations, corruption, incompetence or other misconduct.

Challenges Remain, but Colombia is a Different Country

¶11. Colombia's progress over the last five years is undeniable, but serious challenges remain in ensuring respect for human rights. Its previous inquisitorial criminal justice system was ineffective in resolving criminal cases, including investigation and prosecution of human rights violations, and older crimes remain under this system. The ongoing transition to the new accusatory criminal justice system will ensure more efficient processing of recent cases, resolving them in months rather than years, and increased resources for prosecutors and judges will facilitate efforts to punish paramilitaries and their supporters. Still, despite improved security, narcotrafficking and terrorism continue to generate human rights abuses. We will focus our diplomacy and assistance to support the GOC's efforts to further strengthen democratic institutions, extend the rule of law, and make its citizens safer.
Drucker